

COMMUNITY ASSOCIATION

LEGISLATIVE ALERT



Community Association Attorneys

895 UNIVERSITY AVENUE
SACRAMENTO, CA 95825

TEL 916.669.3500
FAX 916.669.3501

WWW.BAYJACLAW.COM

ROD BAYDALINE
JENNIFER JACOBSEN
DARREN BEVAN
JOHN HANSEN
JARRIE CHANG

New Legislation Regulates Board Actions

Effect on Associations

Senate Bill 563 will become law on **January 1, 2012**. It limits board actions outside of regularly noticed board meetings and creates new affirmative notice and access duties for Boards.

What's New?

Senate Bill 563 has the following effects on Board actions:

- ❖ All board decisions and actions must take place at a meeting. Ends the use of unanimous written consent by a board.
- ❖ "*Meeting*" is now defined as a congregation of the majority of directors to consider items of business that is within the authority of the Board, or a teleconference wherein the majority of directors is connected by audio or video electronic means.
- ❖ "*Item of business*" is defined as any action within the *authority* of the board, except those the board validly delegates.
- ❖ Executive session agendas must be made available to members.
- ❖ Email meetings may only be held in emergencies. All directors must consent to emergency email meetings. This written consent must be filed in the minutes of the meeting.
- ❖ Executive session meetings require 2 days notice to members with an agenda included (emergency meetings excepted). Members may consent to receiving notice electronically.
- ❖ With the exception of executive session meetings, teleconference meetings must be held in a physical location so members may attend. At least 1 director must be present at the physical location.



Newsletter

© Baydaline & Jacobsen 2012